

**BARBERING & COSMETOLOGY EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
OCTOBER 9, 2000**

PRESENT: Barbara Flaherty, Karen Krause, Leon Lauer, Marvile Martin, Bruce Bennett, Lorraine Norem, and Denise Svetly

EXCUSED: Laura Jenkins and Danny Trotter

STAFF PRESENT: Alfred Hall, Jr., John Schweitzer, Jan Neitzel, Darwin Tichenor; Members of Division of Enforcement Staff were present for portions of the meeting.

GUESTS: Barb Schuler, WTCSB

CALL TO ORDER

The meeting was called to order at 9:30 a.m. by Barb Flaherty, Chair, upon confirmation that the public notice was timely given. A quorum of 7 members was present.

AGENDA

Guest speaker, Barb Schuler, two stipulations and one case were added to the agenda.

MOTION: Lorraine Norem moved, seconded by Leon Lauer to approve the agenda as amended. Motion carried unanimously.

MINUTES (8/7/00)

Denise Svetly needs to be added as an attendee at the Board Member Workshop.

MOTION: Leon Lauer moved, seconded by Lorraine Norem, to approve the minutes as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary's Report

Secretary Cummings was not available for this meeting, but will be at the December 2, 2000, meeting when item 6c, Scope Of Practice For Manicurists, Aestheticians And Electrologists Advisory Committee recommendations will be discussed.

Bureau Director's Report

- Board Roster

The Board received a copy of the August 2000 roster. Noted.

- 2001 Meeting Dates

The Board received a copy of the final meeting dates for 2001 in the agenda packet.

- Working Draft of 3/01 Regulatory Digest

Alfred Hall stated that information on complaint statistics, administrative rules in progress, J-tip anesthesia, and clarification of disinfection will be included in the March 2001 Regulatory Digest.

Jeannie Druckenmiller made several revisions to the minutes relating to clarification of intermediate and low level disinfection: (additions and changes underlined)

1. Ms. Druckenmiller recommended that a quaternary ammonium compound, registered as a tuberculocidal by the EPA, be used for cleaning floors, walls and chairs; and that brown bottle (not spray) Lysol, a phenolic germicidal solution, be used for disinfecting laundry in salons.
2. She informed the Board that iodophors and Betadine (iodine) is used primarily to cleanse skin prior to surgical procedures.
3. **EQUIPMENT MUST BE CLEANED COMPLETELY BEFORE BEING DISINFECTED.**
4. Ms. Druckenmiller suggested striking items “c” and “d” of the rules and adding quaternary ammonium compound that is registered as a tuberculocidal agent by the EPA.
5. Ms. Druckenmiller stated that she was informed at this year’s National Infection Control Conference in Minneapolis, Minnesota, that clinical studies now show that waterless hand washing agents, with alcohol as the active ingredient, are acceptable in place of soap and water hand washing in situations where handwashing sinks are not readily available and when used following manufacturer directions.

MOTION: Lorraine Norem moved, seconded by Leon Lauer to amend the minutes by adding the changes made to the clarification of intermediate and low-level disinfectants by Jeannie Druckenmiller. Motion carried unanimously.

- To-Pass Folder

The To-Pass Folder was circulated and duly noted.

LEGISLATIVE UPDATE

Status of LRB 0803/1 – Relating to Education Requirements for Barber, Cosmetologist, Barber Manager, Cosmetologist Manager, Aesthetician, Electrologist and Manicurist Licenses

Alfred Hall reported that LRB 0803/1 did not pass the legislative session and that the new drafts will be available for the December 2, 2000, meeting.

Status of LRB 3269/2 – Relating to Eligibility Requirements for Licenses Granted by the Barbering and Cosmetology Examining Board and Disciplinary Action Taken By the Board

Alfred Hall reported that LRB 3269/2 did not pass the legislative session and that the new drafts will be available for the December 2, 2000, meeting.

Alfred Hall stated that a scope statement for LRB 0803/1 and LRB 3269/2 will be drafted before resubmitting them to the legislature.

ADMINISTRATIVE RULES

Discussion of Intermediate and Low Level Disinfection

The Board discussed Jeannie Druckenmiller's changes and recommendations for intermediate and low level disinfection.

Program Outcomes/Clarify Curriculum/Intent for Minimum Competency Standards by Category Consistent with the Administrative Rules

Nothing to report.

BOARD MEMBER ACTIVITY

Strategic Plan Follow-up – Planning for the Future

The Board will address the recommendations made by the Advisory Committee at the December 2, 2000, Board meeting.

Serving as a Delegate-AT-Large for AEA

The Board discussed board members serving as delegates at large and agreed that board members should not serve as delegates at large because of the voting responsibility.

PRACTICE ISSUES

NCAAS Requirements for Externship/Internship Summary

The Board received a copy of the October 9, 2000, "Summary Of Barber/Cosmetology Off-Campus Clinical Education Externship". relating to Iowa state law and externships.

Barb Schuler, Wisconsin Technical College System Board, WTCSB, explained that all requirements for courses and programs are approved through the WTCSB office. Course curriculum within the system is planned according to an 18-week semester and the instructors are very involved with the courses.

Karen Krause explained that Milwaukee Technical School is offering a 1-credit, 192-hour class as an externship. The requirements include a contract with the salon and a program evaluation by the students and staff. The externship program will begin the summer of 2001.

The Board discussed the importance of an education program for those who participate as educators in the externship program. The Board feels that education or curriculum plans need to be addressed with salon owners and barber/cosmetologists.

The Board discussed the importance of the externship/internship occurring at the end of the educational program.

Continuing Education Material Safety Data Sheets (MSDS)

Continuing education was deferred for discussion at another time.

The Board discussed their options in promoting the shipment of MSDS sheets with all products from the distributors. The Board agreed to write a letter to OSHA requesting their help and will send a copy of the letter to all distributors in Wisconsin. Leon Lauer volunteered to help write the letter.

MOTION: Bruce Bennett moved, seconded by Marvile Martin, to write a letter to OSHA identifying the Board's concern regarding the difficulty of obtaining MSDS sheets for barber/cosmetology products and to send a copy of the letter to distributors in Wisconsin. Motion carried unanimously.

Alfred Hall stated that a copy of the letter will be included in the 2001 Regulatory Digest.

Skin Care Survey Results

The Board received a copy of the National Interstate Council of State Board of Cosmetology, Inc. March 12, 2000, minutes. Noted.

APPRENTICESHIP PROGRAM

Nothing to report.

EXAMINATION ISSUES

Pass Rates for Practitioner Exam

Darwin Tichenor explained the pass rates for the practitioner examination.

Mr. Tichenor explained that MiLady does have new textbooks and that these books will not be used until the examinations are updated to reflect any changes

Draft of Manager Task Analysis Survey

Darwin Tichenor explained the final draft of the manager task analysis survey and noted the following changes: Number 12 should be, "how many clock hours?" Number 35 should be "(material safety data sheets (MSDS), air quality, sanitation, etc.)"

Update on Results of Practitioner Task Analysis Survey

Darwin Tichenor discussed the October 4, 2000, results of the practitioner task analysis survey and noted some of the changes for the written and the practical parts of the examination.

Use of the NIC Universal Test

Darwin Tichenor discussed the NIC examination and stated that he is waiting for more information, which will be discussed more at another date.

DIVISION OF ENFORCEMENT

Disciplinary Grid

The Board noted a change in the disciplinary grid for electrologists.

LEGAL COUNSEL REVIEW OF PHONE INQUIRIES

Nothing to report.

BOARD MEMBER ACTIVITY

Nothing to report.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Virus and Bacteria Contamination Risk From Microdermabrasion

The Board received a copy of the September 11, 2000, letter from the Soundskin Corporation relating to virus and bacteria contamination risk from microdermabrasion. Noted.

NEW BUSINESS

None.

RECESS TO CLOSED SESSION

MOTION: Leon Lauer moved, seconded by Lorraine Norem, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Board or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring issues, deliberation on stipulations that may be signed after printing of the agenda, deliberation on proposed disciplinary actions that may be signed after printing of agenda, pending applications, apprentice requests for transfer, requests for appeal of denial, hearings on denied applications, and examination issues. Motion carried by a roll call vote: Bruce Bennett-yes; Karen Krause-yes; Leon Lauer-yes; Marvile Martin-yes; Lorraine Norem-yes; Denise Svetly-yes; and Barbara Flaherty-yes;

Open Session recessed at 12:08 p.m.

CLOSED SESSION

The Board deliberated on case closings, stipulations, and examination issues.

ADJOURN CLOSED SESSION

MOTION: By consensus, the Board reconvened in Open Session at 12:43 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Bruce Bennett moved, seconded by Leon Lauer, to close the following cases presented by the Division of Enforcement. Motion carried unanimously.

98 BAC 101 No violation
00 BAC 031 Insufficient evidence
00 BAC 042 P1
00 BAC 015 Insufficient evidence

STIPULATIONS

MOTION: Bruce Bennett moved, seconded by Leon Lauer, to accept the Stipulations, findings of fact, conclusions of Law and Orders in the matters involving the following stipulations. Motion carried unanimously.

Madelyn C. Hoogheem d/b/a Mane Street Stylists (Clear Lake, WI)
Latanya Gordon (Milwaukee, WI)
Sonny Ho d/b/a Pro Nails (Appleton, WI)
Paul Cooper d/b/a Tight Again Salon (Milwaukee, WI)

REQUEST OF APPEAL OF DENIAL

The Board discussed the proposal that respondents place their forfeitures in trust funds for use in training employees and agreed that all forfeitures continue to be sent to the Department.

ADJOURNMENT

MOTION: Leon Lauer moved, seconded by Bruce Bennett, to adjourn the meeting at 1:47 p.m. Motion carried unanimously.